

Message Text

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TO AMEMBASSY ABU DHABI IMMEDIATE

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E.O. 11652: GDS

TAGS:SHUM, TC

SUBJECT: UAE HUMAN RIGHTS EVALUATION PLAN

1. FOLLOWING IS DRAFT HUMAN RIGHTS EVALUATION PLAN FOR
UAE. WOULD APPRECIATE EMBASSY COMMENTS, PARTICULARLY
ON IDENTIFICATION OF OBJECTIVES BY JUNE 27.

2. BEGIN TEXT:

A. CONDITION OF HUMAN RIGHTS IN THE UNITED ARAB EMIRATES

1. THE UNITED ARAB EMIRATES HAVE BEEN INDEPENDENT FOR ONLY
FIVE YEARS. THE TERRITORY OF THE PRESENT UNITED ARAB
EMIRATES WAS FORMERLY INHABITED LARGELY BY BEDOUIN AND
FISHERMEN. IN THE FEW TOWNS AND FISHING VILLAGES, THE
ONLY SCHOOLS WERE IN THE MOSQUES, THE ONLY EDUCATION,
KORANIC. THERE WERE NO COLLEGE GRADUATES. THE AREAS'S
FOREIGN RELATIONS WERE HANDLED BY GREAT BRITAIN.

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SINCE THE DISCOVERY OF OIL AND SINCE THE EMIRATES GAINED
THEIR INDEPENDENCE IN 1971, THE PACE OF CHANGE HAS BEEN
VERY RAPID. THERE HAVE BEEN REMARKABLE STRIDES IN
DEVELOPMENT--WHOLE NEW CITIES HAVE BEEN BUILT, THOUSANDS

OF STUDENTS FROM THE EMIRATES HAVE LEFT THE COUNTRY FOR

EDUCATION ABROAD AND HUNDREDS OF THOUSANDS OF FOREIGNERS HAVE SWARMED INTO THE EMIRATES IN SEARCH OF JOB OPPORTUNITIES. THE OVERWHELMING MAJORITY OF PEOPLE RESIDENT IN THE UAE ARE IN FACT FOREIGNERS.

THE UNITED ARAB EMIRATES IS PRESENTLY OPERATING UNDER A PROVISIONAL CONSTITUTION GUARANTEEING FREEDOM FROM THREAT, TORTURE, CRUEL, INHUMAN, OR DEGRADING PUNISHMENT AS WELL AS FREEDOM FROM ARBITRARY SEARCH.

CITIZENS CAN BE SUBJECT BY THEIR ACTIONS TO ARBITRARY ARREST OR IMPRISONMENT IF THE CENTRAL AUTHORITY FEELS THREATENED, BUT FAIR PUBLIC TRIAL IN VIRTUALLY EVERY CASE IS GUARANTEED. CRIMES AND PUNISHMENT ARE DEFINED BY LAW AND THE ACCUSED IS PRESUMED INNOCENT UNTIL PROVED GUILTY IN A COURT OF LAW. THE ONLY EXCEPTION WHICH HAS COME TO OUR ATTENTION IN RECENT YEARS INVOLVES SHAIKH SAQR, WHO IN 1972 ASSASSINATED HIS COUSIN, SHAIKH KHALIFA WHO WAS RULER OF SHARJA. SHAIKH SAQR IS STILL IN JAIL WITHOUT TRIAL WHILE THE UAE RULERS DEBATE HIS FATE. TRIAL UNDER SHARJA LAW WOULD ALMOST CERTAINLY RESULT IN THE EMBARRASSING SPECTACLE OF PUBLIC BEHEADING.

TAKING A GENERAL VIEW, HOWEVER, HUMAN RIGHTS ARE RESPECTED IN THE UAE. THERE IS AN ESTABLISHED COURT SYSTEM WITH EXPERIENCED JUDGES, MAINLY DRAWN FROM OTHER CONFIDENTIAL

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ARAB COUNTRIES. THIS IS NOT TO SAY THAT THE GOVERNMENT OR THE PEOPLE OF THE UAE HAVE THE SAME VIEW OF THE RULE OF LAW OR THE NATURE OF HUMAN RIGHTS THAT PREVAIL IN MOST WESTERN DEMOCRACIES. THIS IS STILL IN MANY RESPECTS A TRIBAL, SHAIKHLY SOCIETY ONLY A FEW YEARS REMOVED FROM THE DESERT.

2. RESPECT FOR CIVIL AND POLITICAL LIBERTIES

--(A) CITIZENS OF THE UAE ARE GUARANTEED FREEDOM OF THOUGHT AND RELIGION. UAE MEDIA HAS RELATIVE FREEDOM TO CRITICIZE GOVERNMENTAL LEADERS AND HAS IN FACT BEEN RESPONSIBLE FOR THE DISSEMINATION OF INFORMATION EMBARRASSING TO THE GOVERNMENT WITHOUT SUFFERING RETRIBUTION. THE GOVERNMENT GUARANTEES RELIGIOUS FREEDOM AND PERMITS ITS CITIZENS AND THE EXPATRIATE COMMUNITY TO MAINTAIN CHURCHES OF VARIOUS FAITHS. LAND HAS BEEN MADE AVAILABLE TO PROTESTANT AND CATHOLIC CHURCHES, SOME OF WHICH OPERATE THEIR OWN SCHOOLS. MEDICAL MISSIONARIES ARE ALSO ACTIVE IN THE UAE. THERE ARE NO RESTRICTIONS ON FREEDOM OF ASSEMBLY UNLESS CENTRAL GOVERNMENT AUTHORITIES BELIEVE IT RELATED TO AN UNSEEMLY SPECTACLE EMBARRASSING TO THE CONSERVATIVE MUSLIM GOVERNMENT OR PUBLIC ORDER IS

THREATENED.

--(B) THERE ARE NO RESTRAINTS ON FREEDOM OF MOVEMENT WITHIN THE COUNTRY, AND FOREIGN TRAVEL FOR ALL CITIZENS IS UNRESTRICTED. IMMIGRATION POLICIES ARE DESIGNED TO CONTROL TO ACCEPTABLE STANDARDS THE INFLUX OF IMMIGRANTS WHOSE NEEDS MIGHT CONFLICT WITH THE NEEDS AND ASPIRATIONS OF THE COUNTRY'S NATURAL BORN CITIZENS.

--(C) THE UAE CITIZENS HAVE A FEDERAL NATIONAL ASSEMBLY IN WHICH THEIR REPRESENTATIVES SPEAK OUT WITH IMPUNITY ON POLITICAL ISSUES. A FULL RANGE OF DEMOCRATIC INSTITUTIONS HAS NOT YET EVOLVED IN THE UAE, HOWEVER, BE-
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CAUSE THE CENTRAL AUTHORITY IS STILL IN THE PROCESS OF ATTEMPTING TO ACHIEVE FEDERAL UNITY AND ARRIVE AT A PERMANENT CONSTITUTION. BECAUSE OF SLOW PROGRESS IN ACHIEVING UNITY, THE GOVERNMENT WILL PROBABLY CONTINUE TO OPERATE UNDER THE PROVISIONAL CONSTITUTION UNTIL 1981.

THE UAE'S ATTITUDE TOWARD POLITICAL ACTIVITY DEPENDS ON THE NATIONALITY OF THE INDIVIDUAL ENGAGING IN THE ACTIVITY. EXPATRIATES ARE EXPECTED TO DESIST FROM POLITICAL ACTIVITY, OR AT LEAST FROM ACTIVITY WHICH IN ANY WAY WOULD DIRECTLY AFFECT OR INVOLVE THE UAE. CASES OF A LOCAL CITIZEN WHO MIGHT CHOOSE TO PLOT AGAINST THE GOVERNMENT ARE NORMALLY HANDLED THROUGH ESTABLISHED TRIBAL TRADITIONS WHICH ARE GENERALLY HUMANE. USUALLY, THE MOST SEVERE PUNISHMENT IS BANISHMENT FROM THE TRIBAL OR FAMILY CIRCLE. WHILE THE STATUS OF WOMEN, FOR THE MOST PART, IS STILL GOVERNED BY CONSERVATIVE TRIBAL VALUES, THERE IS NO RESTRICTION, AND VERY LITTLE SOCIAL ONUS, ON THE GROWING NUMBER OF YOUNGER WOMEN WHO ARE DROPPING THE VEIL AND OTHERWISE ADOPTING MORE LIBERAL CUSTOMS.

3. TRENDS IN GOVERNMENTAL POLICIES RELATING TO FULFILLMENT OF BASIC HUMAN NEEDS.

A. THE UAE HAS MADE A MAJOR EFFORT TO SEE TO THE FULFILLMENT OF THE BASIC NEEDS OF ITS CITIZENS FOR FOOD, SHELTER, HEALTH CARE AND EDUCATION. HEALTH CARE IN THE UAE IS FREE TO ALL CITIZENS AS WELL AS NON-CITIZENS. NEW MODERN HOSPITALS ARE BEING PLANNED AND OTHERS ARE NEARING COMPLETION. SALARIES BEING OFFERED TO MEDICAL PERSONNEL ARE ATTRACTING WELL QUALIFIED STAFFS. THE GOVERNMENT SUBSIDIZES, AND WHERE APPLICABLE FINANCIALLY SPONSORS, STUDENTS FROM KINDERGARTEN THROUGH UNIVERSITY. NUMEROUS
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NEW, MODERN SCHOOLS EXIST OR ARE IN THE FINAL STAGES OF CONSTRUCTION THROUGHOUT THE UAE AND THE LEVEL OF WOMEN'S EDUCATION NOW IS VIRTUALLY ON PAR WITH THAT OF MALES.

UAEG HAS BEEN MOST GENEROUS IN PROVIDING LAND, AND IN SOME CASES FINANCIAL HELP, FOR THE ESTABLISHMENT OF SCHOOLS FOR THE EXPATRIATE COMMUNITY. THERE ARE AT MOMENT SCHOOLS FOR INDIAN, PAKISTAN, BANGLADESH, IRAN, BRITISH, GERMAN, FRENCH, AND AMERICAN COMMUNITIES. UAEG HAS NOT INTERFERED IN CURRICULUM, LEAVING IT TO EACH COMMUNITY TO SET EDUCATIONAL STANDARDS FOR ITS DIFFERENT SCHOOLS.

WHILE THE PHENOMENAL PACE OF DEVELOPMENT HAS LED TO INEVITABLE DISORGANIZATION IN PUBLIC ADMINISTRATION AND SOME CORRUPTION, RENT GOUGING, ETC., MUCH OF THE GOVERNMENT'S ENERGIES HAVE BEEN EXPENDED ON FINDING NEW WAYS TO CHANNEL OIL REVENUES DOWN FROM THE GOVERNMENT TO THE PEOPLE.

4. UAE HUMAN RIGHTS POLICY

THE GOVERNMENT OF THE UNITED ARAB EMIRATES HAS GIVEN PRACTICAL EXPRESSION TO ITS CONCERN FOR HUMAN RIGHTS NOT ONLY INSIDE ITS OWN TERRITORY, BUT ALSO INTERNATIONALLY. AS THE LARGEST AID DONOR IN THE WORLD IN PER CAPITA TERMS, ON OCCASION REACHING A LEVEL OF 25 PERCENT OF GNP, THE UNITED ARAB EMIRATES HAS TAKEN POSITIVE STEPS TO HELP THE POOR OF THE WORLD. MOREOVER, THE UAE'S PRESIDENT, SHEIKH ZAYED, HAS SHOWN A SPECIAL INTEREST IN THE WELFARE OF HIS OWN PEOPLE, THROUGH LENDING HIS PERSONAL PRESTIGE AND CONCERN TO VARIOUS DEVELOPMENT PROJECTS.

5. INDEPENDENT INVESTIGATION OF HUMAN RIGHTS VIOLATIONS

THE UNITED ARAB EMIRATES HAS NOT BEEN A FOCUS OF HUMAN RIGHTS CONCERN. VIOLATIONS HAVE BEEN ISOLATED, RESTRICTED TO A FEW GUEST WORKERS. NO INTERNATIONAL INVESTIGATION
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OF ALLEGED VIOLATIONS HAS BEEN PROPOSED.

B. ANALYSIS AND RECOMMENDATIONS:

UAE MEDIA HAS REPORTED EXTENSIVELY ON U.S. ADMINISTRATION EMPHASIS ON HUMAN RIGHTS. HOWEVER, LIKELIHOOD THAT UAE WOULD SUPPORT U.S. EFFORTS TO PROMOTE HUMAN RIGHTS

THROUGH GOVERNMENTAL AND NON-GOVERNMENTAL ORGANIZATIONS
WOULD BE INFLUENCED BY (A) HOW U.S. DEALS WITH WHAT UAE
CONSIDERS ARE VIOLATIONS OF HUMAN RIGHTS IN ISRAELI
OCCUPIED TERRITORIES; AND (B) POSITION TAKEN BY SAUDI
ARABIA AS UAE INVOLVEMENT OR PRONOUNCEMENTS ON INTER-
NATIONAL WORLD ISSUES ARE STRONGLY INFLUENCED BY ITS
CLOSE CONSULTATIONS WITH SAUDIS.

WE CAN ENCOURAGE EVOLUTION OF DEMOCRATIC INSTITUTIONS IN

THE UAE THROUGH OUR INFORMATION PROGRAM, ESPECIALLY BY
SUPPLYING SPEAKERS ON CONSTITUTIONAL LAW AND THEORY. WE
SHOULD ALSO CONTINUE OUR ACTIVE IV PROGRAM TO BRING UAE
OPINION LEADERS TO THE UNITED STATES. WE SHOULD CONTINUE
TO ACTIVELY ENCOURAGE UAE STUDENTS TO PURSUE THEIR HIGHER
EDUCATION IN THE U.S. WE SHOULD ALSO INCREASE OUR
KNOWLEDGE OF THE UAE'S JUDICIAL SYSTEM BY BEGINNING A
DIALOGUE ON LEGAL ISSUES THROUGH OUR EMBASSY. PERHAPS
THE COURSE OF HUMAN RIGHTS IN THE EMIRATES COULD BE
ADVANCED BY SELECTION OF A LEGAL OPINION LEADER FOR AN
IV GRANT TO THE U.S. SUCH A BALANCED, LOW-KEY PROGRAM
WOULD BE NOT ONLY APPROPRIATE TO UAE'S GENERALLY GOOD
RECORD ON HUMAN RIGHTS QUESTIONS BUT WOULD ALSO BE WELL
RECEIVED BY UAE GOVERNMENT, AND POSE NO RISKS TO OUR
POLITICAL AND ECONOMIC INTERESTS IN THE EMIRATES. CHRISTOPHER

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